

REMARKS

By the present amendment, new dependent claims 15 and 16 have been added. New claims 15 and 16 depend on method claim 8 and system claim 1, respectively, and recite that the maximum duration of post-injection is calculated using a timer that decrements with increasing time spent in both (i) stages of any of idling and the accelerator pedal being raised, and (ii) regeneration stage. Support for the added recitation is found in the original application at page 6, lines 20-25.

Claims 1-16 are pending in the present application. Claims 1 and 8 are the only independent claims.

In the Office Action dated May 22, 2008, claims 1-3, 7, 8-10 and 14 are rejected under 35 U.S.C. 102(b) as anticipated by US 6,598,387 to Carberry et al. (“Carberry”).

Further, claims 4-6 and 11-13 are rejected under 35 U.S.C. 103(a) as obvious over Carberry in view of US 4,655,037 to Rao (“Rao”).

Reconsideration and withdrawal of the objections and rejections set forth in the Office Action dated May 22, 2008 is respectfully requested. Reference is made in particular to the Interview of September 11, 2008 and the additional explanations in the response filed September 16, 2008. In short, Carberry does not determine a maximum duration of post-injection, then interrupt or progressively reduce the or each post-injection if the duration of post-injection utilization reaches the predetermined maximum duration, because interruption of the postinjection is determined in real time as a function of the temperature in Carberry. Further, Rao fails to remedy the deficiencies of Carberry.

As a result, the features of the presently claimed invention, and especially responding to said temperature to determine a maximum duration of post-injection application during stages in which the engine is returning to idling as a result of the accelerator pedal being raised and stages during which the engine is idling; and (i) immediately interrupting the or each post-injection if the duration of post-injection utilization reaches the predetermined maximum duration of application during a stage of returning to idling, and (ii) progressively reducing the or each post-injection when the duration of post-injection utilization reaches the predetermined maximum duration of application during a stage of the engine idling, as recited in present claims 1 and 8, are not obvious over the cited references taken alone or in any combination.

Further, with respect to the dependent claims, it is submitted that the cited references fail to teach or suggest the combined features of each of these respective claims. In particular, with respect to claims 15 and 16, Carberry is completely silent regarding setting a pre-determined maximum duration of post-injection application, so Carberry cannot teach or suggest using a timer that decrements with increasing time spent in both (i) stages of any of idling and the accelerator pedal being raised, and (ii) regeneration stage, as recited in present claims 15 and 16. Therefore, each of the respective dependent claims, and in particular, each of claims 15 and 16, is not obvious over the cited references taken alone or in any combination.

In view of the above, it is submitted that the rejections should be withdrawn.

Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

Amendment
U.S. Appl. No.: **10/595,623**
Attorney Docket No. **PSA0313157**

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 502759.

Respectfully submitted,

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